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13 Attorneys for Defendants
14 PLAINS ALL AMERICAN PIPELINE, L.P.,
PLAINS PIPELINE, L.P.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

19 STACE CHEVEREZ, individually
20 and on behalf of others similarly
situated,

21 Plaintiff,

22

23 PLAINS ALL AMERICAN
24 PIPELINE, L.P., a Delaware limited
partnership

25 Defendant.

Case No. 2:15-cv-04113-PSG-JEM

[Consolidated with Case Nos. 2:15-cv-04440-PSG-JEM, 2:15-cv-04573-PSG-JEM, 2:15-cv-04759-PSG-JEM, 2:15-cv-04989-PSG-JEM, 2:15-cv-05118-PSG-JEM]

**DEFENDANTS' NOTICE OF
MOTION AND MOTION TO STAY**

Date: February 29, 2016
Time: 1:30 p.m.
Judge: Hon. Philip S. Gutierrez
Courtroom: 880

1 PLEASE TAKE NOTICE THAT on February 29, 2016, at 1:30 p.m., or as
2 soon thereafter as the matter may be heard, in Courtroom 880 of the United States
3 District Court, Central District of California, located at 255 East Temple Street, Los
4 Angeles, CA 90012-3332, Defendants Plains All American Pipeline, L.P. and
5 Plains Pipeline, L.P. (collectively “Defendants”) will and hereby do move to
6 temporarily stay the Consolidated Class Action for approximately six months, from
7 the date of the hearing on February 29, 2016, until August 31, 2016.

8 This Motion is made following the conference of counsel pursuant to L.R. 7-
9 3 which has taken place over the past several weeks.

10 This Motion is made on the grounds that the competing interests weigh in
11 favor of a short stay of this litigation to allow the ongoing statutory claims process
12 time to more fully run its course as congressionally intended and to resolve the
13 nearly 200 open and pending claims. *See generally Landis v. N. Am. Co.*, 299 U.S.
14 248, 254 (1936); *Leyva v. Certified Grocers of California, Ltd.*, 593 F.2d 857, 863
15 (9th Cir. 1979) (A “trial court may, with propriety, find it is efficient for its own
16 docket and the fairest course for the parties to enter a stay of an action before it,
17 pending resolution of independent proceedings which bear upon the case.”) A short
18 stay will also allow additional individuals and businesses time to submit claims and
19 receive fast and fair compensation. Because the ongoing claims process may
20 ultimately resolve many (if not most) of the claims resulting from the Line 901
21 incident during this six-month timeframe, a limited stay will significantly reduce
22 the size and scope of this complex, consolidated class action, as well as reduce the
23 potential for double recovery. It may even obviate the need for a class action
24 altogether, an issue that can be addressed in the class certification process as it
25 relates to numerosity and related issues. Therefore, a brief stay serves the duel
26 goals of judicial economy and the orderly course of justice.

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1 This Motion is based upon this Notice of Motion, the Memorandum of Points
2 and Authorities, and Declaration of James L. Jacoby filed simultaneously herewith;
3 all of the pleadings and papers on file in this matter; and upon such oral or
4 documentary evidence that may be presented at the hearing.

5 DATED: December 16, 2015

6 DOWNEY BRAND LLP

7 By: /s/ William R. Warne

8 WILLIAM R. WARNE
9 Attorney for Defendants
10 PLAINS ALL AMERICAN
11 PIPELINE, L.P., and PLAINS
12 PIPELINE, L.P

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